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service to the aged is useless and is repulsive to right minded persons.

Everybody should show consideration and respect for years on three hundred and sixty-five days every year and on three hundred and sixty-six days in leap year, and everybody who is worth his or her salt does.

But this does not tell the whole story of THE NEW YORK HERALD's opposition to the designation of Old Folks' Day.

There are too many days and weeks ostentatiously set aside in honor of this or in furtherance of that. These especially designated periods of time have become so numerous they have lost their point. They bore. They become a pest.

And in the specific case now under consideration who on earth is going to identify "old folks"? Who wants to be identified as "old folks"?

Governor Miller Again.

GEORGE A. GLYNN, Republican State chairman, says there is no doubt that Governor MILLER will be renominated and Chairman GLYNN predicts the Governor will sweep the State.

THE NEW YORK HERALD agrees with the State chairman that the Republican party should renominate NATHAN L. MILLER, whether another term is to his liking or not and whether as a man of very modest means he can or cannot afford to give two years more of his time and services to the public of New York. The Republican party should not think of nominating anybody else for Governor.

And although THE NEW YORK HERALD does not pretend to be able to tell how any great election will go, tell it months before the candidates are even nominated, one thing does seem reasonably certain about the November election for Governor of New York. It is that if the Republican party cannot reelect NATHAN L. MILLER on the record of his strong administration of his great office and the work he has done there for the people of his State it is difficult to conceive how the Republican party in this State could elect anybody.

In any event, the people of this State should have the opportunity to do their choosing, to show whether, when they have the chance to retain the services of a man so able, so untiring, so successful in achieving, a man who has put their State affairs on so sound a basis, has saved them so much money, has so cut their taxes—whether when they have the chance to keep a man like that on the job, at millions of gain to them but at a financial sacrifice to himself, they will keep him or lose him. If the people of New York do not want to keep such a man for the business manager of their great State business let them make their choice and take that measure of themselves. Let them throw away such an incomparable chance and get what they want and deserve.

THE NEW YORK HERALD is as strongly for the nomination of NATHAN L. MILLER, the great business Governor of the State of New York, as it will be for his reelection.

New York's Death Rate.

The death rate of New York city for the week ended at noon Saturday, June 24, was 9.33, against 10.40 for the corresponding week of 1921. This is the first week of 1922 which has shown a decrease in the death rate from 1921. The actual number of deaths in the week of June 24 this year was 1,044, or 211 fewer than in the preceding week and 103 fewer than the number of deaths in the corresponding week last year. The rate 9.33 is the lowest recorded this year.

The Board of Health records show that in the first twenty-five weeks of this year there were 38,814 deaths, a rate of 13.89 to the 1,000 population. In the corresponding weeks of 1921 there were 33,815 deaths, a rate of 12.28 to the 1,000 population. From January 1 to June 24 eighty-five infants under one year of age died out of every 1,000 born, as compared with seventy-five deaths in the corresponding period in 1921 in that age group, an increase of ten for every 1,000 births reported. The number of these infants dying in 1921 was 4,743; in 1922 it had risen to 5,386.

There is nothing in the figures for the first twenty-five weeks of the year to give comfort; the increase in the number of deaths of infants is distressing. The first encouraging news that has come out of the Health Department statistics this year is the reduced death rate for the week of June 24.

Painless Education.

When a man whose intellectual processes possess the clarity and vigor characteristic of Secretary of State HUGHES says something about values in education and methods of mental training it is worth while to listen. Mr. HUGHES in a recent address directed some pertinent criticism at the extremists in education. Although he condemned the sentimentalist and the materialist as equally dangerous, he emphasized the importance of discipline.

The sentimentalist in education, whose regard for discipline is slight, is obsessed by the idea that the process of being educated must be made as pleasant and painless as possible. He is determined to seek out and recognize the individual bent in every child. These are laudable aims but, as Mr. HUGHES says, they must be watched or they will defeat the specific aim of education, which is to train the mind, not merely to amuse it.

"The primary lesson for the citizens of democracy is self-control," said Mr. HUGHES, "and this is achieved

only through self-discipline." This the amiable theorist in education denies, ignores or forgets. If Johnny finds the multiplication table taxing and correct, spelling irritating and the sentimentalist passes over them with a smile, gives him a pair of scissors and lets him cut out pink paper dolls. Johnny's bent, you see, may be in the direction of costume designing. In one case out of a thousand the sentimentalist may be right and Johnny can be let alone with profit to himself. But the overwhelming probability is that Johnny left alone will acquire a bad set of mental habits which will hold him back all along the line.

Out of his own experience Mr. HUGHES offered these observations:

"My mother's insistence on the daily exercises in mental arithmetic has been worth more to me than all the delightful dalliings with intellectual pleasures I have ever had. Life is not a pastime and democracy is not a holiday excursion. It needs men trained to think, whose mental muscles are hard with toil, who know how to analyze and discriminate, who stand on the firm foundation of conviction which is made possible only by training in the processes of reason. The sentimentalist must not be allowed to ruin us by dissipating the energy that should be harnessed to our varied needs."

What Mr. HUGHES says about education and its importance in a republic is worth the attention of every educator in the country.

One Wise Rail Union Leader.

E. F. GRABLE, head of the railroad workers in the very big maintenance of way union, is not merely a disinterested leader; he is a man of vision. His followers took a strike vote, they committed themselves, subject to the approval of their leader, to going out with the shop workers; they expected to be ordered out. But their leader did not order them out. On the contrary, when the striking shop workers and other union bosses were putting heavy pressure upon them to go out GRABLE counseled them to stick to their posts and, as a whole, they are sticking to their posts.

E. F. GRABLE had the sense to see that at a time like this the 300,000 workers on the tracks, bridges and other railroad structures could not possibly win a strike in anything more than a movement, to become a party to a movement, to become the indorsement of a number of artists, to remodel the metal coinage of the United States.

The country is to be congratulated on Mr. MELLON's stand. Whatever the artistic merit of the coins now in circulation may be, they are satisfactory as a medium of exchange, and it should be remembered that where they were wanted must be the best place for them when after long neglect of upkeep work on the roadbeds in a retrenchment policy forced upon the carriers by their lack of money to pay for it the railroads were just beginning to do such work at a great burst of speed.

But, more than that, the leader of the maintenance of way workers understood, as his statement shows, that there is always more to be gained for a cause, if it is a good cause, by going to the authority primarily concerned and to the whole public secondarily concerned with the merits of that cause than by going to war both with that authority and with that public.

Clearly the leader of the maintenance of way workers believes his followers have a good cause. His whole public statement radiates his conviction that the cause of his men is so just that all it needs to get vindication is to go again before the very United States Railroad Labor Board, which reduced their wages and obtained a new readjustment.

And it is a certainty that if the board erred in the extent of the wage reduction it ordered for those men public opinion will call for and the board will make the correction. Herein lies the wisdom of E. F. GRABLE, his capacity to be a sound leader of men, his right to hold a position of great responsibility in the affairs of the railroads and of the country. He plainly has before his eyes the truth that the overbearing, browbeating inciter of strikes in great labor disputes has seen his best day. If there must come a strike of his followers it will not be because E. F. GRABLE recklessly and wildly pushed them in.

Rules of Evidence Criticized.

In his address before the Maryland Bar Association at Atlantic City on July 1 SHERMAN L. WHITFIELD of Boston took for his theme "The Legal Privilege of Concealing the Truth." Under this title he grouped and sharply criticized those long established rules of evidence which exclude hearsay testimony, and communications between husband and wife and between lawyer and client.

either husband or wife from testifying to communications between them, save when made in the presence of a third person. Mr. WHITFIELD remarked that the only reason assigned for the exclusion of this form of evidence was that it was against public policy to impair the sacred and hallowed confidence which should exist in the married relation. But he asks if a husband's admission to his wife of the commission of a crime, of inflicting injury on another by negligence or of indebtedness to another would be such a sacred and hallowed confidence that public welfare would be promoted by excluding testimony that would reveal the truth and thus further the cause of justice. Would there be any greater violation of sacred and hallowed confidence in admitting the testimony of a wife than that of a parent, a child or even of a dear and intimate friend?

Mr. WHITFIELD believes that the origin of the privileged status of communications between lawyer and client was the desire to promote the business of the lawyer and to assist that phase of his activity which was least commendable. To the honest client merely seeking justice the privilege is of no value. It is the criminal who confesses his guilt to his lawyer and the shady lawyer himself who are the beneficiaries of this exemption.

Mr. WHITFIELD's address was an appeal for the elimination, or at least the radical modification, of some of the existing rules of evidence. He declared that at their best they clog legal procedure and at their worst they are an obstruction to the discovery of truth and the administration of justice. His arguments will appeal not merely to the legal profession but to laymen as well. The law's delays and its cumbersome methods, often apparently inconsistent with the plain dictates of common sense, are objects of a public criticism which of late has shown a tendency to take on an added emphasis. If Mr. WHITFIELD has opened the way to an improvement in methods of court procedure he will have conferred a benefit on the public.

Let the Coins Alone.

Secretary MELLON of the Treasury Department has courteously but emphatically refused, in a letter to the magazine *Arts and Decoration*, to become a party to a movement, to become the indorsement of a number of artists, to remodel the metal coinage of the United States.

The country is to be congratulated on Mr. MELLON's stand. Whatever the artistic merit of the coins now in circulation may be, they are satisfactory as a medium of exchange, and it should be remembered that where they were wanted must be the best place for them when after long neglect of upkeep work on the roadbeds in a retrenchment policy forced upon the carriers by their lack of money to pay for it the railroads were just beginning to do such work at a great burst of speed.

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The Herrin Massacre.

Condemnation of Cowardly Officialdom Is Applauded.

TO THE NEW YORK HERALD: I wish to indorse heartily your very fine editorial article entitled "All Is Quiet—And Shameful," referring to the cold blooded massacre of human beings at Herrin, Ill., and the attitude of the authorities. The silence has been broken by the respect of the public, come out boldly and unequivocally in condemnation of cowardly officialdom, just as you have done.

As you have said and said well: Is murder and butchery any less murder and butchery when committed in the name of union law? The course of your great newspaper is admirable.

C. H. EARNST, COLORADO, TEX., July 1.

German Junkers Accused.

Royalist Club Charged With Murder at Home and Conspiracy Here.

TO THE NEW YORK HERALD: The assassination of Nathan Erbacher on August 27 last, of Dr. Walter Rathenau on June 24, some 300 other murders and the attack on Maximilian Harden July 3 are attributed in the main to a group of Junker royalists and anti-Semites known as the Foresters or Consuls. This is the chief of the nationalist clubs.

It is interesting to note that this murderous organization had affiliations, possibly pro-consuls, in America during the war. In April or May, 1917, a cryptic message was issued to leaders here reading as follows: "Provide a consular suit to no quid republica detrimenti accipiat." These are the closing words of a passage from Cicero's Fifth Philippic against Mark Antony. The entire passage is in English: "I give my vote that the whole republic should be committed to the consuls and that they should have a charge given them to defend the republic and to take care that the republic suffer no injury." The republic being in this case the German State or Reich.

The device, which is referred to in navy circles as a universal sounding apparatus, was designed principally by Harvey C. Hayes, physicist of the United States Navy, and was organized at Annapolis. It received its first service test on the United States destroyer, Stewart, which has just completed a cruise from Newport to Gibraltar. During the cruise exhaustive tests of the sounding service were carried on and daily radio reports of its operation were made to the Navy Department.

The radio reports show that the ap-

The Ruddy Planet Gleans.

Mars Dominates the Southeastern Sky in Early Evening.

TO THE NEW YORK HERALD: We should not forget to take another glance at the gleaming, ruddy planet Mars.

At present Mars dominates the southeastern firmament as soon as it is visible after sunset—half past 8—and it does not set until after 3 A. M. It is well described in *L'Astronomie* for May: "Mars, in the constellation Scorpio, is visibly fixed during the whole month of July at 3 degrees east of the sun. Antares—also a ruddy star—and it will be stationary on July 17. Mars passes the meridian during the evening hours and it can always be observed with interest."

NEWTON, MASS., July 3.

Minstrel History.

Origin of "Shoo Fly" and How O'Brien Became Bryant.

TO THE NEW YORK HERALD: I question the late Mr. DeLoach's former of Bryant's Minstrel, in 1918 about the origin of the song "Shoo Fly" and the first time it was sung. Mr. Donegan said:

"It was written for Delahanty and Hughes and we stole it. I sang it for a week and then the boss, Dan Bryant, sang it. We sang it at the basement of the Twenty-fourth street, in 1899 or 1870. It was a double song and dance."

My father, who was well acquainted with Dan Bryant and his brother Nell, was invited on one occasion to go behind the scenes when Dan introduced his father, a typical old Irishman. Said my father:

"I am very glad to make your acquaintance, Mr. Bryant." "Sure, it's O'Brien," said he. "The boys changed it to Bryant." WILLIAM M. SWEENEY, ASTORIA, July 5.

Why Plums for Up State?

A Demand for Home Rule as Regards Federal Jobs in This City.

TO THE NEW YORK HERALD: Would it not be regarded as a singular if not ludicrous thing if it were seriously suggested that New York city should furnish the candidates for up-State Federal offices?

Suppose a boom were started for a New Yorker for the office of Collector of Customs at Buffalo or Watertown or Plattsburg? The mere thought of it shows its absurdity, but it is really a more absurd than for a man from up State to be appointed to fill a Federal office in New York city?

Is not the application of the theory of home rule just as sound with respect to Federal as State offices? How can Republicans expect to make and hold gains in Greater New York if the choice political offices and far too many of the subordinate places are given to up-State men?

What incentive is there for the faithful if they realize that the rewards of political merit are given to outsiders? Aren't there plenty of good, loyal, competent Republicans in Greater New York from among whom to make selections of Federal appointees? Everybody knows that there are men who know New York and its needs much better than up-State men.

If the newspapers believe in home rule, why not preach it for Federal appointees? A. R. SMITH, ROSEBANK, July 5.

Job for a Policeman.

TO THE NEW YORK HERALD: Please help us here at Prospect avenue and Freeman street. Boys collect here from all over and of all ages up to young men. They are a nuisance. They play ball and if the ball goes into a baby carriage some of them are grossly insulting in reclaiming it. Cursing and swearing mark their talk, and they keep their disorder up until late at night.

Navy Has New Device to Map Sea Floor

Sounding Apparatus Expected to Revolutionize Navigation Through Ease in Measuring Great Depths.

Special Dispatch to THE NEW YORK HERALD: New York Herald Bureau, Washington, D. C., July 5. Details of an invention of tremendous importance, a sounding device which is expected to revolutionize navigation and make it possible for the first time to map and chart the bottom of the ocean with ease, speed and accuracy, were given out by the Navy Department today.

Theodore Roosevelt, Acting Secretary of the Navy, was as enthusiastic over the new invention as were the naval officers, who believe it is the biggest invention naval science has achieved in recent years. They believe the device will make it possible to make a map of the ocean bottom which will be as accurate as maps of the land surface.

Means Saving in Time.

The sounding device gives immediate measurements of depths of water, so that there is no need of lead or wire to uncoil or reel in again. It is used with a sound transmitter and sound receiver and depends in its operation on the reflected echo of a signal given off by the vessel's sound transmitter and received by the same vessel's receiver.

Naval experts explained that the device is simple and that its cost is small. With it a ship can take an indefinite number of soundings in deep or shallow waters without stopping the engines or slowing down. All the time required for taking a sounding is for the sound to reach the bottom of the sea and then travel back again to the receiver.

Sound travels at the rate of four to five thousand feet a second, so that little time would be required to take soundings in midocean. The device would be particularly useful, it was explained, when a ship approaches the coast or shallow water where it is necessary to make frequent soundings and often to halt until the exact position is ascertained.

The device, which is referred to in navy circles as a universal sounding apparatus, was designed principally by Harvey C. Hayes, physicist of the United States Navy, and was organized at Annapolis. It received its first service test on the United States destroyer, Stewart, which has just completed a cruise from Newport to Gibraltar. During the cruise exhaustive tests of the sounding service were carried on and daily radio reports of its operation were made to the Navy Department.

The radio reports show that the ap-

The Wire Strangler.

When I was stringing wires in New York's Land.

(I'm driving a laundry wagon now.) Stringing wires from listening posts, from batteries, from headquarters—

I used to get so much kick out of them trying to pot me.

With rifles and machine guns and shells. It's right good fun being a rabbit in a rabbit hunt.

If you get by with it.

And can snicker at the stung hunters.

And I always did get by somehow.

By the edge of my eyebrows.

And the skin of my teeth.

Great old days!

Them potting away at me.

And me skipping in and out of shell holes.

Why, I kept a card index of them shell holes in my mind—

I knew every one for miles.

And watched for new ones all the time—

Against the day when I would need them.

Come a barrage—and me—

Slung in a shell hole smoking a cigarette.

All done up and out I jump.

Still with two arms and two legs and nose and toes and everything.

And I wave my arms.

And throw my head back laughing.

Laughing, laughing, laughing.

At their durned old shells that couldn't touch me!

(I'm driving a laundry wagon now.)

MART CARMACK McDUGAL.

The Ship Subsidy.

A Plea for the Establishment of an American Merchant Marine.

TO THE NEW YORK HERALD: One of the most important subjects now before the people of these United States, most vital to their interests, commercially and politically, in war and peace, is the ship subsidy. The passage of the bill by the Congress considering it is an absolute necessity to our prosperity.

If the merchants of our country, whether in the interior or on the coasts, wish to do business with foreign countries and where they please, and thus avoid counter business plots of foreign rivals, the United States must control its own shipping facilities for their accommodation, and if war comes no adequate excuse is possible